

Part One: About the RFP

1. Introduction

1.1. Purpose

The purpose of this RFP is to solicit proposals and select agencies to administer Wisconsin Works (W-2) and Related Programs in designated geographic areas in Wisconsin.

Wisconsin Works (W-2) and Related Programs are a comprehensive array of programs and services including but not limited to the W-2 employment positions, eligibility determinations for child care, W-2 case management, Food Stamp Employment and Training, Job Access Loans, Workforce Attachment and Advancement, Refugee Cash Assistance, Emergency Assistance, and the optional programs of Children First and Contracted Child Care.

This RFP, the Contract terms, and the Department's Policies and Procedures define the program requirements.

1.2 W-2 Philosophy

Wisconsin's residents are its most valuable resource. Some residents are unemployed due to poor education, poor job skills, and other barriers to employment. These problems not only limit individual achievement, but they hold back the state's economic growth.

The goal of Wisconsin Works (W-2) is to provide necessary and appropriate services to prepare individuals to work, and to obtain and maintain viable, self-sustaining employment, which will promote economic growth. W-2 is one of several work-based programs designed to ensure that everyone in Wisconsin shares in our economic opportunities.

W-2 accomplishes this goal by providing needed services in a comprehensive fashion, including such services as job readiness motivation, job retention and advancement skill training as well as childcare. W-2 employment and training services are available to any eligible Wisconsin resident unable to sustain employment or advance in the job market. W-2 services are not limited to recipients of cash assistance.

W-2 policies are guided by the consistent application of the following philosophical principles:

1. Substantially all citizens want to be able to support their families, want to be economically self sufficient, and want to be employable members of the workforce.
2. W-2 shall be participant friendly. Each W-2 agency shall explain the full spectrum of employment, education, and training and supportive services available to assist individuals and families to transition into the workforce. When individuals and families are given adequate information about employment services, they will make an informed choice about whether or not to pursue those services.
3. Individuals determined to be eligible for participation in W-2 are obliged to cooperate with their employability plans or face sanctions. W-2 agencies rendering the services

are obliged to properly and carefully assess each individual's specific needs in order to promote success in transitioning into the workforce.

4. Families are the foundation of society and are the vehicle through which children are nurtured and protected. W-2 programs and policies designed to assist participants in family formation will be evaluated in light of how well they strengthen and promote healthy, nurturing, and economically secure families where both parents are responsible.
5. W-2 agencies will assist families with multiple barriers to employment, ensure that all participants have equal access to the full spectrum of resources, and avoid arbitrary and inappropriate sanctions.
6. All programs and services shall be rendered in a fair and just manner, including adverse actions such as denials and sanctions, and participants will be informed of their appeal rights.
7. Individuals are part of various communities of people and places. W-2 operates in ways that enhance the way communities support individual efforts to achieve self-sufficiency.
8. W-2 goals are best achieved by working with providers, who are committed to customer friendly service, who partner with employers and other service providers, who are innovative, and who strive to continuously improve the provision of service.

The Department holds these philosophical principles as guidelines as it administers the W-2 Program and Related Programs. In addition, the Department requires that its W-2 agency providers be leaders in assuring effective planning and coordination with other work, training, income maintenance and related service providers on behalf of W-2 participants.

1.3 Department's Policies and Procedures

The draft contract for the 2004-2005 period is attached (Part 3 Attachment). The provisions of this contract will be finalized by the Department prior to issuance for signature.

The Department's policies and procedures for W-2 and Related Programs can be found at <http://www.dwd.state.wi.us/dws/pdf/dwsppcg.pdf>.

The Department of Health and Family Services (DHFS) now administers Medicaid and the Food Stamp Program. Please refer to DHFS for information relating to those policies. In accordance with Wisconsin's combined application processing system for W-2, Food Stamps, Medicaid and Child Care, the W-2 agency must provide the opportunity to initiate the application process for Medicaid and Food Stamps in order to establish an application filing date.

Any changes to this RFP, such as items that are pending in the Biennial Budget Act will be issued in an addendum to this RFP.

2. Responding to the Request for Proposals

The following information is provided to assist agencies in preparing a response to this RFP.

2.1 Funding Availability

The Allocation Stipulations for the 2004-2005 W-2 and Related Programs contract are contained in Appendix A of this RFP.

2.2 Performance Standards

W-2 agencies are required to meet the Department's established performance standards for the 2004-2005 Contract Period. The Performance Standards for this Contract are found in Appendix B of this RFP.

2.3 W-2 Geographic Areas

Except for federally recognized American Indian reservations and in counties with a population of 500,000 or more, no W-2 geographical area may be smaller than one county. A geographical area may include more than one county.

No changes in Wisconsin's W-2 geographic areas have been made. They continue to be the Regions 1-6 in Milwaukee County, the tribal areas and the remaining counties. A map of the Milwaukee Regions is provided in Appendix C of this RFP.

2.4 W-2 Geographic Areas Open for Competition

This RFP covers all geographic areas, which are available for proposer agencies to submit competitive proposals. See Appendix D of this RFP for the geographic areas that are open for competition.

Information will be provided during the procurement process to identify additional (if any) W-2 geographic areas available for competition under this RFP.

2.5 Right of First Selection

Existing W-2 agencies earned the Right of First Selection for the 2004-2005 W-2 Contract by meeting the 2002-2003 W-2 Contract required Performance Standards. An agency that earned Right of First Selection does not have to compete for the geographic area(s) in which it earned the Right of First Selection. Appendix D of this RFP identifies the geographic areas where agencies earned the Right of First Selection.

To be awarded a 2004-2005 W-2 Contract, Right of First Selection agencies must respond to the Department's recontracting instructions with a Right of First Selection W-2 and Related Programs Plan determined to be acceptable by the Department. The Department will issue the recontracting instructions in a Division of Workforce Solutions (DWS) Administrator's Memo, which will be posted on the Department's web site by the date in the Anticipated Timetable (see Part 1, Section 3). All information that is pertinent to recontracting will be issued in the Administrator's Memo. Items related to Right of First Selection in this RFP are provided for the benefit of proposer agencies.

Agencies selected to administer a contract under this RFP have the opportunity of earning Right of First Selection for the contract period beginning January 1, 2006 by achieving the Right of First Selection Performance Standards referenced in 2.2 above.

2.6 Right of First Selection Agencies Letter of Intent to Contract or Relinquish Right of First Selection

Agencies that earned Right of First Selection must submit to the Department a Letter of Intent to recontract or to relinquish their Right of First Selection by the date in the Anticipated Timetable (see Part 1, Section 3).

A written Letter of Intent must be provided on the official letterhead of the W-2 agency. The written request must be signed by the W-2 agency's authorized representative and sent to Mary Tremain (see the page immediately following the cover page).

In the event that one or more agencies relinquish their Right of First Selection, Appendix D of this RFP will be updated to add areas open to competition.

2.7 Who May Apply

2.7.1 Legal Eligible Entities

Entities eligible to propose under this RFP include, but are not limited to:

- Government agencies;
- Private, for profit entities;
- Private, not-for-profit entities;
- Tribal governing bodies; and
- Consortiums with one of the above as the lead agency.

Workforce Development Boards must subcontract services under this RFP to local providers and may not deliver direct services to participants for W-2 and Related Programs.

With the exception of government agencies and tribal governing bodies, proposer agencies selected to be a W-2 agency must be duly incorporated and registered under Wisconsin Statutes. If a proposer agency which is not a government agency or tribal governing body is not incorporated at the time the proposal is submitted, the proposer agency must become incorporated and registered under Wisconsin Statutes within sixty (60) calendar days of Notice of Intent to Award the Contract(s) notification that it has been selected for a contract under this RFP.

2.7.2 Consortiums

A W-2 consortium is a combination of W-2 geographic areas in the same Workforce Development Area (WDA) for the W-2 and Related Programs.

Consortium arrangements are encouraged. Benefits of operating W-2 and Related Programs as a consortium may include economies of scale and enhanced ability to respond to changes in caseloads. Consortiums also have flexibility among and between individual geographic area allocations and a combined base for determination of performance.

Additional resources may be available for one-time costs to support the development of consortium infrastructure during the first year of a consortium not to extend beyond the contract period. The Department will determine if there is need for infrastructure funding based on documentation provided by the proposed consortium.

The Department will give all bona fide consortium proposals 100 points in Part 2, Section 1.1

A consortium may be proposed by a single entity (such as a private agency or a governmental agency) or by two or more agencies combining their efforts. If several agencies combine efforts as partners, one must be designated as the lead agency. There will be only one point of contact and accountability for a consortium. The combined geographic areas will be treated as a single

organizational unit. Wisconsin federally recognized American Indian tribes might also create or participate in a consortium.

Consortiums may be developed under the following timeframes and circumstances:

1. Prior to the selection of the 2004-2005 W-2 agencies:
 - a. A group of W-2 agencies, all of which earned the Right of First Selection and which are all in the same Workforce Development Area, may form a consortium. Such a consortium will follow the Right of First Selection re-contracting instructions.

or
 - b. A group of geographic areas that are open for competition, or a geographic area for which the W-2 agency is relinquishing its Right of First Selection and which are all in the same Workforce Development Area may form a consortium. This proposal must conform to the requirements specified in the RFP.
2. Subsequent to the selection of 2004-2005 W-2 Agencies:
 - a. A group of W-2 agencies, all in the same Workforce Development Area, mutually and voluntarily agree to form a consortium.

or
 - b. A W-2 agency mutually and voluntarily agrees to attach to an existing W-2 consortium in the same Workforce Development Area.

Proposals to form consortiums must be submitted to the Department for approval. A copy of the Workforce Development Board Areas is provided in Appendix E of this RFP.

2.8 Integration of Services

The Job Center system is the primary vehicle for delivery of employment and training programs, including W-2 and Related Programs. W-2 and Related Programs must be fully integrated into a Job Center system and include complete co-location of W-2 services and staff where the Job Center exists in the W-2 geographic area. In addition, the W-2 agency has the option of also maintaining a network of affiliated sites for better geographic coverage.

The Department will give up to 100 points for any proposal demonstrating integrated services in the Job Center(s) in Part 2, Section 1.7 with the following:

- Programs administered by County Social/Human Services, including Food Stamps and Medicaid and Child Care administration; and
- The Workforce Investment Act Programs, including youth, adult and dislocated work programs administered by providers under the Workforce Development Boards; adult basic education administered by the Technical Colleges and vocational rehabilitation administered by the Department's Division of Vocational Rehabilitation.

2.9 Program Plan Review by Workforce Development Boards

Right of First Selection Agencies and agencies selected in the competitive process to administer contracts for W-2 and Related Programs effective January 1, 2004-December 31, 2005, must provide an opportunity for the area Workforce Development Board to review and comment on their W-2 and Related Programs Plan. Evidence of the opportunity provided along with comments received must be forwarded to the Department Contract Manager within sixty (60) days following the notice from the Department of the intent to contract. The Department may use the comments to plan for and/or to facilitate coordination statewide.

2.10 How to Apply

To submit a proposal for W-2 and Related Programs, a proposer agency must complete the W-2 and Related Programs Plan Proposal, which consists of two Sections: the Capacity Plan and the Program Plan.

The Capacity Plan is the competitive portion of this RFP. In addition, a proposer agency must submit an acceptable Program Plan.

After the selection of the W-2 agency based on the Capacity Plan and an acceptable Program Plan, the Department may require changes prior to approving a W-2 and Related Programs Plan.

The proposer agency must complete and attach all required documents provided as attachments to this RFP.

Proposer agencies should review the attached contract terms by which the Department will contract with agencies for the 2004-2005 period.

3. Anticipated Timetable

Listed below are specific and estimated dates and times of actions related to this RFP. The actions with specific dates must be completed as indicated unless otherwise changed by the State. In the event that the State finds it necessary to change any of the specific dates and times in the calendar of events listed below, it will do so by issuing an addendum to this RFP. There may or may not be an addendum issued for changes in the estimated dates and times.

<u>Item/Activity</u>	<u>Date</u>
a) RFP Issued	May 16, 2003
b) Recontracting Instructions Issued to Right of First Selection Agencies with a requirement for a Letter of Intent to Recontract or to Relinquish Right of First Selection due by August 8, 2003	May 23, 2003
c) Web Available	May 16, 2003-December 31, 2004
d) Written Questions from Proposer Agencies Due	May 27, 2003
e) Proposer Agency Conference and Right of First Selection Recontracting Meeting.....	May 28, 2003 (10:00 a.m., Central Time)
f) Request to Remain on Mailing List Due.....	May 30, 2003 (4:00 p.m., Central Time)

g) W-2 and Related Programs Plan Proposals on Capacity and Program Due	June 27, 2003 (4:00 p.m., Central Time)
h) Notice of Intent to Award Contracts and Announcement of Additional Competitive W-2 Geographic Areas	August 4, 2003*
i) Right of First Selection Agencies Letter of Intent to Recontract or to Relinquish Right of First Selection Due	August 8, 2003
j) Right of First Selection Agency W-2 and Related Programs Plans on Capacity and Program Due	August 15, 2003
k) Contracts Issued by DWS	September 26, 2003*
l) Pre-Contract Phone Conference	October 10, 2003 (10:00 a.m., Central Time)
m) Signed Contracts Due to DWS by W-2 Agencies.....	October 31, 2003*
n) Transition Activities (as needed).....	November 1, 2003- December 31, 2003
o) Prepayment Checks Mailed.....	December 30, 2003*
p) Contract Effective Date.....	January 1, 2004

* Estimated

4. Procurement

The Department will conduct the procurement process for this RFP in accordance with the federal regulations contained in 42 CFR 434.10, 45 CFR 95.613, and 45 CFR 74. The process for selecting W-2 agencies under this RFP is exempted from Section 16.75(1) to (5), 16.705, 16.72(2)(e), (f) and (5), Wisconsin Statutes.

4.1 Contact Point and Clarification of Specifications and Requirements

All questions regarding the procurement process under this RFP shall be submitted, in writing, to Mary Tremain (see the page immediately following the cover page).

Prospective proposers may submit technical and contractual questions raised by this RFP in writing or by electronic transmission to the State at the address given on the cover page. For purposes of this provision, e-mail and fax also qualify as "in writing".

Be sure to reference the RFP page number, part, section and subsection for each question submitted. Make questions as specific as possible and offer proposed solutions to perceived problems. The State reserves the right to determine whether or not to respond.

Read this entire document. Questions received later than the stated deadline (see RFP Part 1, Section 3, Anticipated Timetable) may not be answered.

4.2 Electronic Communications

Addenda to this RFP will be issued on the RFP website at:
<http://www.dwd.state.wi.us/dws/w2/rfp/default.htm>.

After submission of the Request to Remain on Mailing List deadline (see RFP Part 1, Section 3 Anticipated Timetable), the State expects to use Internet and/or e-mail as the primary method of communication with all proposer agencies. Upon receipt of each proposer agency's Request to Remain on Mailing List, the State will e-mail a confirmation to the designated Request for Proposal Contact for each agency to verify e-mail connectivity. All proposer agencies are advised to be looking for this confirmation and to make sure their e-mail systems are operating properly. The State will not be responsible for messages not received due to e-mail transmission problems.

4.3 Reference Materials

The Department has established an electronic web site containing reference materials for W-2 and Related Programs. The web site address is:

<http://www.dwd.state.wi.us/dws/w2/rfp/default.htm>. Materials, documentation, and other written information will be available for review in accessible formats to qualified individuals with disabilities, within five (5) days of a request. Submit a request to Mary Tremain (see the page immediately following the cover page). The State reserves the right to add additional materials to this web site at any time until five (5) business days prior to the competitive proposal due date.

Accuracy - While a reasonable attempt was made to gather the most accurate information available for this web site at the time this RFP was released, the Department disclaims responsibility for the accuracy or completeness of the materials, information, documentation, and data on this web site, including materials subsequently added. If any materials, documentation, information, or data are discovered to be inaccurate and/or incomplete, such inaccuracy or incompleteness shall not constitute a basis for challenging the contract award, contract rejection or payment amount or rate after contract award. All statistical information contained on this web site represents the best information available to the State at the time of RFP preparation.

Requirements specified in this RFP shall take precedence over any documentation on this web site if a conflict exists.

4.4 Proposer Agency Conference and Right of First Selection Recontracting Meeting

A proposer agency conference and Right of First Selection recontracting meeting will be held on May 28, 2003, from 10:00 a.m. to 3:30 p.m. at the Marriott Madison West, 1313 John Q. Hammons Drive, Middleton, Wisconsin to respond to written and verbal questions and to provide any needed additional instruction to proposer agencies on the submission of proposals.

The Department recommends that all proposer agencies who intend to respond to this RFP should attend the entire proposer agency conference. Agencies with Right of First Selection are encouraged to attend as well for responses to recontracting questions.

4.5 Proposal Organization and Submission Requirements

4.5.1 General Instructions

The evaluation of proposals and selection of an agency and the ensuing contract will be based on the information submitted in the proposer agency's proposal plus references and any required oral presentations. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a proposal.

Elaborate proposals (e.g., expensive artwork) beyond that sufficient to present a complete and effective proposal, are not necessary nor desired.

4.5.2 Submission of Proposals

Sealed proposals must be mailed or delivered to Mary Tremain (see the page immediately following the cover page of the RFP). The room number for submission of proposals is Room A211. Proposals must be delivered to the Department of Workforce Development, 201 East Washington Avenue, Room A211, Madison, WI 53707-7972.

Proposals submitted, in whole or in part, by FAX or e-mail will be rejected. Late proposals will be rejected.

Proposals must be prepared in accordance with the requirements set forth in this RFP. A proposal must be submitted for each area the proposer agency is proposing to administer. An area may be a W-2 geographic area or consortium. If proposing to administer an area in two different Workforce Development Areas, a separate proposal for each is required. If proposing to administer more than one W-2 geographic area in the same WDA, the proposer agency has the option of submitting separate proposals for each or a consortium proposal. Tribal reservations may submit one proposal for each Workforce Development Area.

The original and **nine** (9) copies [ten (10) total sets] of the proposal for each area, under sealed cover in one package, must be received by the Department in the above office by the dates and times listed in this RFP (see Part 1, Section 3, Anticipated Timetable). The original must be clearly identified as the original.

Proposers mailing their proposals or using a commercial delivery service must allow sufficient time for delivery of their proposals by the time specified. Proposals received after that time will not be considered and will be returned unopened.

All proposals must be date and time-stamped in DWD/DWS by the stated time. Proposals not so stamped will not be accepted. Receipt of a proposal by the State mail system does not constitute receipt of a proposal for purposes of this RFP.

The outside cover of the package containing the proposal is to be marked:

PROPOSAL TO ADMINISTER WISCONSIN WORKS
RFP # DWD-1983-KA
Proposer's Name and Address
Geographic Area (s)
Proposal Due Date

4.5.3 Proposal Organization and Format

- 4.5.3.1** Proposals must be typewritten and submitted on plain 8.5 by 11 inch white paper bound securely. The original and copies of the proposal must be bound securely. The State prefers that proposals be printed two sides to reduce waste and the costs associated with freight and storage, however, two-sided printing is not a requirement. The maximum number of pages for a W-2 and Related Programs proposal including the Capacity and Program Plans and all attachments is two hundred fifty (250) pages. The minimum font size is ten (10) points. The financial statements required under this RFP Part 2, Section 1.16 are a separate submittal and are not included as part of the two hundred fifty (250) page limit.

The proposer agency's name must appear on each page of the proposal. Each page must be numbered.

Proposals are to be organized with the Response Items headings, subheadings and alpha and numeric delineations in the same order and sequence as this RFP. Each heading and subheading should be separated by tabs or otherwise clearly marked. The responses are to be numbered/lettered exactly as they are in this RFP. The RFP sections that must be submitted (unless identified in the Response Items of this RFP as optional) are:

W-2 and Related Programs Plan:

Section One: Capacity Plan, Response Items: 1.1-1.26

Section Two: Program Plan, Response Items: 2.1-2.5

- 4.5.3.2** Failure, in whole or in part, of a proposer to respond to a specific requirement in this RFP may be the basis for elimination from consideration during the Department's review of proposals. Failure by a proposer to meet RFP requirements, in whole or in part may result in the rejection of the proposal at the sole discretion of the Department.
- 4.5.3.3** This RFP may or may not result in an award of a contract. The Department reserves the right, at its sole discretion, to cancel this RFP at any time and for any reason, and to reject any or all proposals at any time and for any reason. Receipt of proposals by the Department confers no rights upon the proposer. Receipt of proposals shall not, in any manner whatsoever, obligate the Department, the State of Wisconsin, or any employees thereof.
- 4.5.3.4** The Department reserves the right to cancel this RFP at any time for one or more or all geographic areas. In the event the Department cancels the solicitation for one or more of the geographic areas, it may continue to solicit proposals for the remaining geographic areas. The Department reserves the right to add geographic areas to the RFP if this is in the best interest of the state.

4.6 Deviations and Exceptions

Deviations and exceptions from this RFP, terms, conditions, or specifications may be considered but not necessarily agreed to by the Department, provided they are described fully, on the proposer's letterhead, signed, and attached to the Affidavit of Fair Competition (Form 4) of this RFP (see Part 2, Section 1.21). In the absence of any deviation and exception approved by the Department, the proposal shall be accepted in strict compliance with all terms, conditions, and specifications and the proposer shall be held liable.

4.7 Withdrawal of Proposal

Proposals may be withdrawn by written request. Proposals may be withdrawn in person by the proposer agency or his/her authorized representative, providing that his/her identity is made known and he/she signs a receipt for the proposal.

4.8 Restrictions on Contacts with State Personnel

No contacts with state employees concerning this RFP are permitted during the period from the date of release of this RFP until a determination is made and announced regarding contract awards. Exceptions to this provision are contacts associated with the administration of this RFP as directed in Part 1 of this RFP, and contacts associated with preparing a Response Item referencing the Job Center management structure, agencies in the Job Center, the Department's Division of Vocational Rehabilitation and/or the Division of Workforce Solutions Job Service Bureau.

4.9 Retention of Proposer Materials

All proposer materials submitted as part of this RFP process become the property of the State.

4.10 Incurring Costs

The State is not liable for any cost incurred by proposer agencies in replying to this RFP, including, but not limited to, loss of materials submitted for evaluation purposes.

4.11 News Releases

Reference to or use of the State of Wisconsin, any of its departments, agencies or other subunits, or any state official or employee for commercial promotion is prohibited. News releases initiated by the proposer agency pertaining to this procurement shall not be made without prior approval of the Department Contract Manager identified in Appendix F of this RFP. Release of broadcast e-mails pertaining to this procurement shall not be made without prior written authorization of the Department.

4.12 Proprietary Information

Any restrictions on the use of data or other information contained within a proposal must be clearly stated in the proposal itself. Proprietary information submitted in response to a request will be handled in accordance with applicable State of Wisconsin procurement regulations and the Wisconsin public records law. Proprietary restrictions normally are not accepted. However, when accepted, it is the proposer agency's responsibility to defend the determination in the event of an appeal or litigation.

Data contained in a proposal, all documentation provided therein, and innovations developed as a result of the contracted commodities or services cannot be copyrighted or patented. All data, documentation, and innovations become the property of the State of Wisconsin.

Any material submitted by the proposer agency in response to this RFP that the proposer agency considers confidential and proprietary information and which qualifies as a trade secret, as provided in section 19.36(5) of the Wisconsin Statutes, or material which can be kept confidential under the Wisconsin public records law, must be identified on the Designation of Confidential and Proprietary Information (Form 5) of this RFP (see Part 2, Section 1.22). Cost proposal prices cannot be held confidential.

4.13 Certification of Independent Price (Cost) Determination

1. By signing the proposal, the proposer agency certifies, each party thereto certifies as to its own agency, that in connection with this procurement:
 - a) The prices (costs) in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices (costs) with any other proposer agency or with any competitor;
 - b) Unless otherwise required by law, the prices (costs) which have been quoted in this proposal have not been knowingly disclosed by the proposer agency and will not knowingly be disclosed by the proposer agency prior to award in the case of a negotiated procurement, directly or indirectly to any other proposer agency or to any competitor; and,
 - c) No attempt has been made or will be made by the proposer agency to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
2. Each person signing this proposal certifies that:
 - a) He/she is the person in the proposer's agency responsible within that agency for the decision as to the prices (costs) being offered herein and that he/she has not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above; or,
 - b) He/she is not the person in the proposer agency responsible within the agency for the decision as to the prices (costs) being offered herein, but that he/she has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above, and as their agent does hereby so certify; and he/she has not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above.

5. SELECTION AND AWARD PROCESS

5.1 Preliminary Evaluation

The proposals will first be reviewed to determine if minimum submission requirements are met. Failure to meet minimum submission requirements may result in the proposal being rejected. In the event that all proposers do not meet one or more of

the minimum submission requirements, the Department reserves the right to continue the evaluation of the proposals and to select the proposal which most closely meets the requirements specified in this RFP. The determination of whether an RFP condition is substantive or an informality shall reside solely with the Department.

5.2 Proposal Scoring

Proposals will be reviewed by evaluation committees and scored against the stated criteria. A proposer may not contact any member of an evaluation committee except at the State's direction. The committee may review references, request interviews, and/or conduct on-site visits and use the results in scoring the proposals. Each proposal will be scored.

The evaluation committee's scoring will be tabulated and the proposals ranked for each geographic area based on the numerical scores received. Costs from Form 2, line (g) of this RFP will be scored with the lowest cost proposal given the highest score for the geographic area. The following formula will be used:

$$(\text{Lowest bid (constant)}/\text{Bid being scored}) \times 200 \text{ points} = \text{Cost score}$$

Calculation of points awarded to subsequent proposals will use the lowest dollar amount bid for the geographic area being scored as a constant numerator and the dollar amount of the proposal being scored as the denominator. (This result will always be less than one.) The result then is multiplied by the number of points given to the cost section of the RFP.

Proposer agencies that wish to claim minority proposer preference must so indicate on the Affidavit of Fair Competition (Form 4). Total points for proposer agencies may be weighted by one hundred and five percent (105%) to allow for a five percent (5%) preference to a certified minority business under section 16.75(3m) of the Wisconsin Statutes.

5.3 Oral Presentations

Proposer agencies may be required to make oral presentations to a panel of high level Department managers. The panel will consider the clarity of the presentation, responses to questions, and demonstrated experience with programs of similar magnitude. After the oral presentations are held (if required), final scores will be assigned to the proposals using the stated criteria.

Proposer agencies receiving top scores in the initial round will be notified of the time and place for the oral presentations, if determined necessary. The oral presentation will be made at no cost to the State of Wisconsin. Although oral presentations may occur, proposer agencies are cautioned to include information in their proposal that is as complete as possible. Proposer agencies invited to make oral presentations are required to include the key staff person who will be responsible for administering the W-2 program. If oral presentations are held, the proceedings may be recorded by the Department and the panel's questions and proposer's responses may be part of any ensuing contract.

5.4 Evaluation Criteria

Each geographic area constitutes a competitive process. Proposer agencies for a geographic area are in competition with other proposer agencies for that same geographic area or consortium proposals for that same geographic area.

A maximum of **1,000 points** will be available for each proposal. The maximum points are distributed among the proposal sections as follows:

<u>Proposal Section</u>	<u>Maximum Points</u>
Part 2, Section 1.1	100
Part 2, Section 1.7	100
Part 2, Section 1.19	200
Part 2, Section 1.3–1.6; 1.8-1.18 and 1.26	600
 Total Points	 1,000

- Forms required by this RFP are mandatory and are not scored.
- The Department will give all bona fide consortium proposals 100 points in Part 2, Section 1.1.
- The Department will give up to 100 points for any proposal demonstrating integrated services in the Job Center(s) in Part 2, Section 1.7, with the following:
 - Programs administered by County Social/Human Services, including Food Stamps and Medicaid and Child Care administration; and
 - The Workforce Investment Act Programs, including youth, adult and dislocated work programs administered by providers under the Workforce Development Boards; adult basic education administered by the Technical Colleges and vocational rehabilitation administered by the Department's Division of Vocational Rehabilitation.
- Proposer agencies that wish to claim minority proposer preference must so indicate on the Minority Business Preference form (Form 6) of this RFP. Total points for proposer agencies may be weighted by one hundred and five percent (105%) to allow for a five percent (5%) preference to a certified minority business under section 16.75(3m) of the Wisconsin Statutes.

As a procurement tool, the RFP process by design includes subjective elements. It is not a bid with specific pass/fail criteria for each and every contract provision. Nor is it an exam, where there are right and wrong answers to essay-type questions. Instead, proposers are asked to describe their qualifications and experience with this type of contract and their proposed plan for addressing the various elements of the contract. This approach allows each proposal to be evaluated on its combined strengths and weakness. The proposals are scored individually by the evaluators, and agreement among the evaluation team members is not required, i.e., this is not consensus scoring.

Any W-2 agency that is or has been under a Corrective Action Plan by the Department at any time between January 1, 2002 and the date the proposal is reviewed will have the Corrective Action Plan and the agency's followup reviewed as part of the RFP process.

5.5 Awards and Final Offers

The State of Wisconsin reserves the right to accept or reject any or all proposals, to waive any technicality in any proposal submitted, and to accept any part of a proposal as deemed to be in the best interests of the State of Wisconsin.

The Department's Secretary shall make the final decision on the contract award for each geographic area. The Department reserves the right to reject any or all proposals and adjust the terms of a proposal, including the award amount and W-2 and Related Program activities, with a selected proposer agency prior to entering into a contract. If contracting cannot be concluded successfully with the selected proposer agency for a geographic area, the Department may contract with the next highest scoring proposer in that geographic area, or if contracting cannot be concluded successfully with the selected proposer, the Department may, at its option, if it is in the best interest of the State and geographic area to be served, contract with a proposer agency selected under this RFP (to serve another geographic area) to provide services for that geographic area.

If no proposals, or no acceptable proposals are received for a geographic area, the Department reserves the right to contract for the W-2 and Related Programs with any contractor selected under this RFP process.

If no acceptable provider in a geographic area is selected, the Department will administer or arrange for the administration of the W-2 program for that geographic area.

5.6 Notice of Intent to Award

All proposer agencies who respond to this RFP will be notified in writing of the State's intent to award the contract(s) as a result of this RFP. The notice of intent will be mailed to the RFP Contact named in each proposer agency's Request to Remain on Mailing List.

5.7 Required Pre-Contract Phone Conference

Any proposer agency who receives a Notice of Intent to Award (or authorized designees) will be required to participate in a pre-contract phone conference with the State's W-2 and Related Programs Administration. The purpose of this conference will be to review proposer agency opportunities and obligations under the contract and answer proposer agency questions prior to final signing of the contracts. The Department will issue instructions and draft agenda for the phone conference. The Department reserves the right to withdraw any agency's Intent to Award for failure to participate in this phone conference.

Agencies may be excused from this requirement through prior arrangement with the State's W-2 Administrator. The State also recognizes uncontrollable factors such as sudden illness, family emergencies, and natural disasters may cause an agency to miss the phone conference even though the agency had every intention of participating. In such occurrences, the State will not unreasonably apply the failure to participate provision of this Section.

Due to conference call capacity limitations, no more than one representative per agency may call in to the conference. (Note: Any number of representatives may participate if the proposer agency can make a group connection to the State's conference line.)

5.8 Appeals Process

All appeals must be made in writing and must fully identify any contested issues. Subjective interpretations by evaluators are not subject to protest or appeal. The written appeal must be based on one of the following factors:

- A conflict of interest on the part of one or more evaluators.

- Mathematical errors were made in the scoring of proposals.
- The evaluators did not adhere to the established evaluation criteria.

Any written protest of the Notice of Intent to Award a contract(s) must be fully documented and must be postmarked and filed with the Administrator of the Division of Workforce Solutions, Room A211, 201 East Washington Avenue, P.O. Box 7972, Madison, Wisconsin 53707-7972, and received in that office no later than five (5) business days after the Notice of Intent to Award the Contract is postmarked.

For purposes of this provision, fax communications will suffice. Appellants must use (608) 267-3240 for this purpose and confirm timely receipt by calling telephone (608) 266-9371.

The Division Administrator shall review the appellant's basis for the appeal and shall render a decision on the appeal.

An appellant that has an appeal denied by the Division Administrator shall have the right to appeal the decision to the Secretary of the Department of Workforce Development, 201 East Washington Avenue, P.O. Box 7946, Madison, Wisconsin 53707-7946. The written appeal must be based on one or more of the factors listed above and must fully explain the basis for appealing the Division Administrator's denial. The written appeal to the Department Secretary must be received in that office no later than five (5) business days (from the day postmarked) after the appeal is denied by the Division Administrator. The Department Secretary shall review the appeal and render a final decision on awarding of the contract.

5.9 Public Records Access

It is the intention of the State to maintain an open and public process in the solicitation, submission, review, and approval of procurement activities. However, for purposes of this RFP, there will be no public inspection prior to issuance of the Notice of Intent to Award the Contract.

6. Request to Remain on Mailing List

Complete the attached Request to Remain on Mailing List and submit to Mary Tremain (see the page immediately following the cover page). Requests must be received by not later than 4:00 p.m. (Central Time), May 30, 2003.

6. Request to Remain on Mailing List

DUE DATE May 30, 2003

Failure to submit this request may result in your agency not receiving RFP addenda and other information.

Prospective proposers are requested to submit a Request to Remain on Mailing List by 4:00 p.m. (Central Time), May 30, 2003, to Mary Tremain (see page immediately following the cover page).

Failure to submit a timely and complete Request to Remain on Mailing List will not preclude the submission of a proposal, nor does its submission require that the prospective proposer submit a proposal.

However, only those prospective proposers submitting a timely and complete Request to Remain on Mailing List will remain on the mailing list for: (a) RFP addenda or clarifications (if any); (b) answers to written questions; (c) notices of changes to the procurement schedule specified above (if any); and (d) any other information from the Department regarding this RFP. Such notifications will be sent via electronic mail to the e-mail address of the contact person identified in the received Request to Remain on Mailing List. (See RFP, Part 1, Section 4.2, Electronic Communications.)

INSTRUCTIONS

STEP 1 — Complete (a) through (e) below:

a. Proposer Agency Name	
b. Request for Proposal Contact — The person listed will receive all RFP-related materials and should serve as your agency's sole point of contact during the RFP process. This person will be notified of all RFP addenda and will also receive the notice of intent to award described in RFP, Part 1, Section 5.6.	
Name and U.S. mail address	Telephone(s): Fax: E-mail:
c. Geographic area(s) of interest:	
d. Name of person completing this form (printed):	e. Signature of person completing this form and date:

STEP 2 — Add a cover page with signature and fax to (608) 267-3240, attention Mary Tremain (see page immediately following the cover page), by the deadline in the box at the top of this page. **DO NOT** follow fax with hard copy. Keep a copy of all submitted materials for your records. The state will confirm receipt of your agency's Request to Remain on Mailing List via e-mail, phone or fax.